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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 JAMES ANTHONY WILLIAMS,

9 Plaintiff,

10 v.

11 BRUCE C GAGE, et al.,

12 Defendants.

Case No. C18-0218-JCC-MAT

ORDER GRANTING MOTION TO
STRIKE

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14 This is a 42 U.S.C. § 1983 prisoner civil rights action. On April 19, 2019, a non-party to
15 this case and inmate at the Washington State Penitentiary (“WSP”), Joe J.W. Roberts Jr., filed a
16 motion on behalf of plaintiff to consolidate this action with one Mr. Roberts has filed and to appoint
17 counsel to represent them in bringing a class action complaint. (Dkt. 70.) Mr. Roberts explained
18 in the motion and in an accompanying declaration (Dkt. 71) that plaintiff was on security
19 enhancements at the WSP and was not allowed pen, paper, or to file or receive legal documents.
20 (See Dkts. 70, 71.) Mr. Roberts, therefore, signed the motion and declaration on behalf of plaintiff.
21 (See Dkt. 70 at 4; Dkt. 71 at 1.)

22 Defendants have moved to strike Mr. Roberts’ submissions. (Dkt. 71.) Among other
23 things, defendants point out that plaintiff never signed the submissions in violation of Federal Rule

1 of Civil Procedure 11(a), which provides, “Every pleading, written motion, and other paper must
2 be signed . . . by a party personally if the party is unrepresented. . . . The court *must* strike an
3 unsigned paper unless the omission is promptly corrected after being called to the . . . party’s
4 attention.” Fed. R. Civ. P. 11(a) (emphasis added).

5 The Court agrees with defendants that Rule 11(a) requires the Court to strike Mr. Roberts’
6 submissions because plaintiff did not sign them. Defendants notified plaintiff of the deficiency in
7 their motion to strike, which they filed on May 3, 2019. Although plaintiff was allegedly unable
8 to access pen and paper at the time Mr. Roberts filed the motion to consolidate on April 19, 2019,
9 staff at the WSP informed the Clerk of Court on May 9, 2019, that plaintiff had been transferred
10 to the Monroe Correctional Complex. Therefore, based on the current record, the Court concludes
11 that plaintiff has had sufficient opportunity to correct the omission but has not done so.

12 Accordingly, the Court GRANTS defendants’ motion to strike (Dkt. 72) and directs the
13 Clerk to STRIKE Docket Numbers 70 and 71 from the docket. The Clerk is directed to send copies
14 of this order to the parties and to the Honorable John C. Coughenour.

15 Dated this 28th day of May, 2019.

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18 Mary Alice Theiler
19 United States Magistrate Judge
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